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**OFFICE OF PETITIONS
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555 12TH STREET NW
WASHINGTON DC 20004

In re Application of
Cao, et al.
Application No. 09/819,091
Filed: February 16, 2000
Attorney Docket No. 04983.0210.US/00/38-21

:
:
: DECISION ON PETITION
: AND
: NOTICE OF INFORMAL
APPLICATION

This is a decision on the petition filed July 13, 2001, that the above-identified application papers be accorded a filing date of February 16, 2000.

The petition is granted.

The application, however is informal since it does not comply with the regulations for the reasons noted below. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE WITHIN WHICH TO CORRECT THE INFORMALITIES INDICATED BELOW. THE REQUIRED ITEMS MUST BE TIMELY SUBMITTED TO AVOID ABANDONMENT. EXTENSIONS OF TIME UNDER 37 CFR 1.136(a) ARE PERMITTED.**

In support of the petition, petitioner includes a copy of a postcard receipt itemized with respect to the instant application papers and bearing the USPTO date stamp of February 16, 2000. The receipt establishes that 10 boxes consisting of 2,370 pages of description, 1 page of 7 claims, 1 one page abstract, 30, 213 pages of a sequence listing, and a CD-Rom containing the sequence listing were among the instant application papers received at the USPTO, and subsequently misplaced. Accordingly, the instant resubmitted papers are entitled to an application number and a filing date of February 16, 2000.

However, petitioner should note that the contents of the two CD-R's supplied with the instant petition, on which is contained Table 1, do not comply with 37 CFR §§ 1.52(e)(3)(i) and 1.58, in that both Tables must be in compliance with ASCII. A review of the instant CD-R files corresponding to Table 1 reveals that Table 1 has been submitted thereon containing horizontal and vertical lines which encompass and separate the textual data, which simply put, means that Table 1 has not been submitted as an ASCII "flat file." Petitioner should compare instant Table 2 as submitted on the

CD-Rs, which is in compliance with the rules, and employ that same format for the resubmitted Table 1. The new CD-R's must be submitted in duplicate. See 37 CFR 1.52(e)(4).

The \$130 petition fee has been refunded as unnecessary

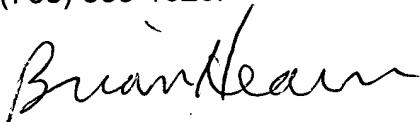
Further correspondence with respect to this matter should be addressed as follows:

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Telephone inquiries specific to this matter should be directed to the undersigned at (703) 305-1820.



Brian Hearn
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